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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
1. 1997 LAMBORGHINI DIABLO, VIN)
2. 2006 PORSCHE CAYENNE TURBO,)
3. \$8,692.42 IN FUNDS SEIZED FROM)
4. \$6,314.76 IN FUNDS SEIZED FROM)
5. \$1,076,636.89 IN FUNDS SEIZED)
FROM TD AMERITRADE ACCOUNT)
HELD IN NAME OF CHRISTOPHER)
NAPOLI,)
Defendants.)

Case No. C 07-3120 RMW

**STIPULATION AND [XXXXXXXXXX]
ORDER TO CONTINUE
CASE MANAGEMENT CONFERENCE**

1 IT IS HEREBY STIPULATED by and between plaintiff United States of America and
2 claimants Christopher Napoli, Christine Napoli, Pharmacy USA LLC and PSA LLC, through
3 undersigned counsel, that the case management conference currently scheduled for Friday, May
4 28, 2010, be continued for approximately 120 days. The parties contend that a continuance of
5 the case management conference is appropriate as there is a pending criminal investigation
6 against claimant Christopher Napoli and this court has already entered a stay of this action is
7 under 21 U.S.C. § 881(j) . Since the criminal activity at issue in the investigation and related
8 criminal indictment forms, in large part, the basis for the forfeiture allegations in the
9 government's complaint for forfeiture in this action, the parties agree that a stay in the forfeiture
10 proceeding and a continuance of the case management conference is appropriate at this time in
11 order to preserve the confidentiality of the government's criminal investigation and Christopher
12 Napoli's right against self-incrimination in the related criminal matter.

13 Notwithstanding the parties request for a continuance of the case management conference,
14 the parties reserve the right to bring any motions consistent with the terms of this stipulation,
15 including a motion to set aside the stay and the court's order granting a stay of these proceedings.

16
17
18 DATED: 05/27/10

/S/
STEPHANIE M. HINDS
Assistant United States Attorney

19
20 DATED: 05/27/10

/S/
CHRISTOPHER J. CANNON
Attorney for Christopher Napoli,
Christine Napoli, Pharmacy USA, LLC
and PSA, LLC

[XXXXXXXXXX] **ORDER RE STAY**

Upon the stipulation of counsel, and good cause appearing, IT IS HEREBY ORDERED that the case management conference in the above-entitled civil forfeiture action currently scheduled for Friday, May 28, 2010, is vacated. The conference is rescheduled for September 24, 2010 @ 10:30 a.m.

IT IS FURTHER ORDERED that the parties reserve the right to file any motions consistent with the terms of the above stipulation and the court's previous order granting a stay of these proceedings. These proceedings continue to be stayed.

DATED: 5/27/10


RONALD M. WHYTE
United States District Judge